

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2003-158-C - ORDER NO. 2003-591
OCTOBER 20, 2003

IN RE: Petition of FTC Communications, Inc. DBA) ORDER CONTINUING <i>von</i>
FTC Wireless for Designation as an Eligible) HEARING, VACATING
Telecommunications Carrier (ETC) in the) SCHEDULING ORDER,
State of South Carolina) AND ORDERING STUDY

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion for Continuance of the hearing in this matter involving FTC Communications, Inc. d/b/a FTC Wireless (FTC or the Company) filed by the South Carolina Telephone Coalition (SCTC). SCTC asks for a continuance of the hearing in this Docket currently scheduled for October 22, 2003 until such time as the Commission has issued an order ruling on a similar application filed by ALLTEL Communications, Inc. (ALLTEL) in Docket No. 2003-151-C. SCTC further requests that Commission Order No. 2003-471 be vacated, and that this Commission issue a new order establishing prefiling deadlines once a new hearing date has been established.

SCTC notes that a hearing has already been held on the similar ALLTEL application, wherein ALLTEL requested designation as an Eligible Telecommunications Carrier (ETC) throughout the State of South Carolina. FTC's Application seeks designation as an ETC in certain wire centers that are identical to those at issue in the ALLTEL proceeding, according to SCTC.

SCTC submits that many of the issues in the ALLTEL proceeding are the same found in FTC's Petition and that presentation and consideration of those issues in this Docket while the ALLTEL decision is still pending would be unnecessarily duplicative, and is not an efficient use of the parties' or the Commission's time and resources.

FTC opposes SCTC's Motion and states that FTC's request for ETC status is different from that of ALLTEL in that ETC status is being sought only in the FTC service area. FTC states other reasons in opposition to the SCTC Motion.

We have considered this matter and, upon consideration, grant SCTC's Motion. We agree that many of the issues raised in the FTC Docket are the same or similar to those raised in the ALLTEL Docket, which has already been heard. Judicial economy justifies the granting of SCTC's Motion. We also agree that unnecessary duplication may result if we proceed with the FTC hearing prior to rendering a decision on the ALLTEL matter. Accordingly, the FTC hearing currently scheduled for October 22, 2003 shall be continued until after such time as the Commission has issued an Order ruling on the ALLTEL Application. Further, Order No. 2003-471 is hereby vacated. A new scheduling order will be issued once the new FTC hearing date is set.

In order to effectively hear and the consider the many issues, including important public policy considerations, raised by the wireless ETC applications filed with the Commission, we find that the issues pertaining to a wireless ETC application should be addressed by all the parties to the proceeding. However, it should be noted that the type of broad and far-reaching public policy considerations raised by the wireless ETC applications require neutral, independent study and analysis. Accordingly, the

Commission Staff is hereby instructed to perform, or to have performed, a study addressing and framing the issues, including public policy considerations, raised by applications seeking wireless ETC status. This study should address, at a minimum, public policy issues such as the amount of cost reimbursement and whether cost reimbursement for wireless carriers is in the public interest; reliability issues, such as but not restricted to, the ability of wireless service to meet 911 requirements during extended power outages¹; service quality issues, such as but not restricted to, whether the service quality of wireless service be comparable to the service quality of wireline service or should service quality be different for wireless and wireline services; what type of wireless system is needed, the current wireless systems or should the wireless systems be fixed wireless; and the issues surrounding unlimited calling, such as is unlimited calling required and what should constitute unlimited calling for a wireless system. This list of issues is certainly not all-inclusive but is a beginning framework for the public policy issues that should be addressed in this study.

¹ With regard to a wireless service meeting reliability requirements and particularly 911 requirements, one issue is the power supply to a cell tower. Some questions raised by the issue of power supply to a cell tower could include (but not be limited to) the following:

In the case of an extended electrical outage, how are wireless carriers meeting reliability requirements with regard to 911 service?

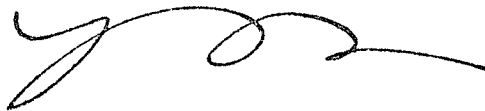
Could an extended electrical outage affect the 911 reliability requirements for the system?

Can a wireless system adequately protect the reliability of the service in the case of an extended outage?

IT IS THEREFORE ORDERED THAT:

1. SCTC's Motion for Continuance of the hearing scheduled in this docket for October 22, 2003, is continued.
2. Order No. 2003-471 which established prefiling deadlines for the October 22, 2003, hearing is vacated, and a new scheduling order will be issued after the date of the new hearing in this Docket is set.
3. A new hearing date in this docket shall be established after a decision is rendered on the ALLTEL ETC Application which is presently before the Commission.
4. The Commission Staff is instructed to perform, or to have performed, a study addressing the issues raised by the wireless ETC applications, including the many important public policy considerations associated with such filings.
5. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Bruce F. Duke, Acting Executive Director

(SEAL)